



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/595,647	06/16/2000	Alexander E. Mallet	MS150658.1	2603

27195 7590 11/19/2004

AMIN & TUROCY, LLP
24TH FLOOR, NATIONAL CITY CENTER
1900 EAST NINTH STREET
CLEVELAND, OH 44114

EXAMINER

BULLOCK JR, LEWIS ALEXANDER

ART UNIT	PAPER NUMBER
----------	--------------

2127

DATE MAILED: 11/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/595,647

Applicant(s)

MALLET ET AL.

Examiner

Lewis A. Bullock, Jr.

Art Unit

2127

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 02 November 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

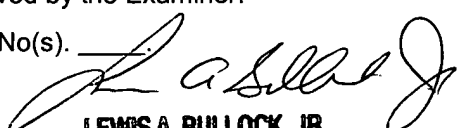
Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: _____.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s).
10. ☐ Other: _____


LEWIS A. BULLOCK, JR.
PRIMARY EXAMINER

Continuation of 5. does NOT place the application in condition for allowance because: the arguments are unpersuasive. Applicant argues that Hanson does not teach a first computer system for directing a call to invoke a remote procedure in a second computer system. Applicant supports this argument by stating that the Mobility Management Server is acting in lieu of or as a proxy for, the Mobile End System, and therefore cannot be the second computer system. The examiner disagrees. Hanson consistently details that the connection between the mobile end system and the Mobility Management Server can be temporary broken over a network (col. 7, line 49 - col. 8, line 34). Hanson also teaches that communication between the two systems is performed using remote procedure call (col. 7, lines 43-48). Therefore, the two systems are two distinct computer systems, even though one is a proxy to another when communicating to another remote system. In addition, a Mobility Management server may comprise software hosted by a conventional Windows NT or other server (col. 8, lines 35-36). Mobility Management Server is a standards-compliant, client-server based intelligent server (col. 8, lines 36-40). A server is a computer system. Therefore, the Mobility Management Server is a computer system. Applicant then argues that the Mobility Management Server maintains the state of the Mobile End System and therefore the connections are persistent. The examiner disagrees. The same reference paragraph that Applicant cited states that the connection information is maintained even though the physical connection has been lost. Therefore, the connections are not persistent since the physical connections are lost. In addition, Hanson states that the interconnect between the Mobile End Systems and the Mobility Management Server being intermittent and unreliable (col. 7, lines 41-42). Therefore, the connection cannot be persistent if the connection, i.e. physical connection is intermittent and unreliable. Applicant then argues that the remote procedure call is not executed by the Mobility Management Server but rather by the peer system or fixed end system. The examiner disagrees. Since Hanson teaches that the Mobility Management Server executes remote procedure calls on the Management Server (col. 19, lines 35-53) and the Mobile End System is distinct from the Management Server as detailed above, Hanson teaches a first system sending a remote procedure call to a second system for execution (col. 13, lines 10-30; col. 14, lines 32-37). Hanson also teaches that RPC transactions are bundled in a datagram and executed concurrently (col. 14, lines 31-40). Some of the RPC work requests are schedule request, connect indications, disconnect indications, local terminate association, resources available request; and ping inactivity timeout (col. 14, lines 49-62) which requires the Management System to communicate with a peer system. Hanson then states that the Mobility management Server completes RPC transactions and returns responses and events and responses to the Mobile End System (col. 19, line 35 - col. 20, line 35). Therefore, the cited teachings of Hanson teaches the Management System executing remote procedure calls on the Management System wherein the Management System may further communicate with another peer system in order to execute the function and the returning of events and responses to the Mobile End System.